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3736

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date : April 23, 2004

Shozo Kawanishi

Our Docket : ACO 301

Serial No. : 10/018,874

Group Art Unit: 3736

Filed : February 26, 2002

Examiner : Matthew J. Kramer

For : VISCERAL FAT DETERMINING DEVICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98**

Applicant is submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicant respectfully requests that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

**CONTENT OF DISCLOSURE**

This Information Disclosure Statement includes (1) one page of PTO-1449 forms, and (2) a legible copy of each reference listed on the form(s).

## TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Moreover, in accordance with 37 C.F.R. § 1.97(e)(2), the undersigned states that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. Therefore, in accordance with 37 C.F.R. §§ 1.97(b)(3), (b)(4), or (c)(1), no fee is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on April 23, 2004.



George Painter

Respectfully submitted,  
KOLISCH HARTWELL, P.C.

*M. Matthew Huh Reg. # 43,683*  
*for*

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Mark D. Alleman  
Registration No. 42,257  
Customer No. 23581  
520 S.W. Yamhill Street, Suite 200  
Portland, Oregon 97204  
Telephone: (503) 224-6655  
Facsimile: (503) 295-6679  
Attorney/Agent for Applicant

SHEET 1 OF 1

PATENT & TRADEMARK PTO-1449		DOCKET NUMBER ACO 301		APPLICATION NUMBER 10/018,874		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		APPLICANT Shozo Kawanishi				
		FILING DATE February 26, 2002		GROUP ART UNIT 3736		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	FR2731144	9/6/1996	France			
	WO89/08428	9/21/1989	PCT			
OTHER DOCUMENTS						
	"The prediction of abdominal visceral fat level from body composition and anthropometry: ROC Analysis," Rankinen et al., <i>International Journal of Obesity</i> , Vol. 23, pp. 801-809 (1999).					
	Supplementary European Search Report, EP 01 91 9937, 3/8/2004.					
EXAMINER			DATE CONSIDERED			